IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4329 OF 2007
IN
SUIT NO. 2020 OF 2005

M/s. Kuehne + Nagel Pvt.Ltd. ... Plaintiff.

V/s.

M/s. Deshcam Technological
Resources Pvt.Ltd. .. Defendant.

Mr. Subhash Jha i/b. Law Global for the Plaintiff.
Mr. S. Mallick for the Defendant.

CORAM : DR. D.Y. CHANDRACHUD,J.

14TH DECEMBER 2007.

P.C. :-

. Counsel appearing on behalf of the Plaintiffs states that only prayer Clause (a) of the Notice of Motion is pressed. By an order dated 19th December 2006 passed on a Motion, the ad-interim order passed on 18th July 2005 was confirmed save and accept for the bracketed portion. As a result, the Court Receiver was appointed as a Receiver of 7 containers containing electronic scrap lying at Nhava Sheva, Navi Mumbai and there was a direction to the Receiver to dispose of the

scrap either by private treaty or by public auction. The Court Receiver moved a report on 11th June 2007 stating that the Plaintiff had failed to submit a draft of the particulars of the terms and conditions of sale as well as of a public notice till date, as a result of which, the order of the Court could not be implemented. On 12th July 2007, time for compliance was extended until 14th September 2007,failing which the report of the Court Receiver seeking discharge was made absolute. Time is now sought for the extension of the period granted on 12th July 2007. Counsel appearing on behalf of the Defendant has no objection to the extension being granted as sought.

2. In these circumstances, the period granted in the order dated 12th July 2007 for complying with the requisition made by the Court Receiver shall stand extended by a further period of four weeks from today. Failing compliance, the consequences envisaged in the order dated 12th July 2007 shall ensue.

3. The Notice of Motion is accordingly disposed of since no other relief is pressed.